

Service Date: December 16, 1985

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

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IN THE MATTER Of The Application)	
Of The MONTANA POWER COMPANY To)	UTILITY DIVISION
Change The Availability Criteria)	DOCKET NO. 85.11.49
In The Electric Contract Tariff.)	INTERIM ORDER 5170

FINDINGS OF FACT

1. On November 7, 1985, the Montana Power Company filed a request to change the availability criteria in its Electric Contract Tariff.

2. The effect of the Montana Power Company filing is to set precise criteria on which customers would qualify for rates on the electric contract tariff. The following is MPC's proposed availability language:

Available for: Electric utility service provided to customers with a demand of 5,000 KW or greater and served at a single point of delivery from the available transmission line of 50 KV or above under the respective terms and conditions of their contracts. All other terms and conditions of the respective contracts shall remain in full force and effect.

3. The Commission approves of MPC's requested revision to the electric contract availability criteria; this approval is on an interim basis only. The Commission will determine whether final approval shall be granted following a public hearing which will be held at a future date.

4. The Commission finds that MPC must provide an analysis of the impacts on cost of service based class revenue requirements of this proposal vis-a-vis alternatives. The one alternative the Commission specifically requests an analysis of is the impact of tariffing electric contract availability

on the basis of voltage size only; in this regard, the 50 KV criteria would be a useful starting point. Then, there would be two estimates of class revenue requirements, one would reflect the status quo (the base case), and the second would reflect a 50 KV availability criteria. Necessarily, there will be load shifts in cost of service analysis, from the General Service to the Electric contract class.

CONCLUSIONS OF LAW

1. Applicant, Montana Power Company, is a corporation providing service within the State of Montana and as such is a "public utility" within the meaning of Section 69-3-101, MCA.

2. The Montana Public Service Commission properly exercises jurisdiction over the Applicant's Montana operations pursuant to Title 69, Chapter 3, MCA.

3. Section 69-3-304, MCA, provides, in part, "The Commission may, in its discretion, temporarily approve increases or decreases pending a hearing or final decision."

ORDER

THEREFORE THE MONTANA PUBLIC SERVICE COMMISSION ORDERS THAT:

1. Montana Power Company must file a revised Electric Contract tariff reflecting interim approval of the proposed availability criteria.

2. Nothing in this Interim Order precludes the Commission from adopting in its final order, after review of the entire record in this Docket, availability criteria different from

that contained in this order.

DONE IN OPEN SESSION at Helena, Montana, this 26th day
of November, 1985 by a vote of 4-0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

Clyde Jarvis, Chairman

John B. Driscoll, Commissioner

Howard L. Ellis, Commissioner

Danny Oberg Commissioner

ATTEST:

Trenna Scoffield
Secretary

(SEAL)

NOTE: Any interested party may request the Commission to
reconsider this decision. A motion to reconsider
must be filed within ten (10) days. See 38.2.4806,
ARM.